REMARKS

The present amendment is submitted in response to the Office Action dated September 17, 2007, which set a three-month period for response, making this amendment due by December 17, 2007.

Claims 1-12 are pending in this application.

In the Office Action, the specification was objected to for various informalities. The preamble of claim 1 was objected to for including intended use limitations. Claims 1-13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-10 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,401,282 to Zagorski. Claims 1, 11, and 12 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,237,871 to Henderson.

In the present amendment, the specification has been amended to add standard headings and to delete reference to the claims.

Regarding the Examiner's comments regarding the preamble of claim 1 and the "intended use limitations", the Applicants respectfully submit that it is clear form the disclosure and claims as originally filed that only the connection device is intended to be claimed, NOT a combination of the connecting device with the various elements to be connected. Claim 1 has been rewritten to clearly define that the connecting element is being claimed.

All of the claims, including claim 1, were amended to address the rejection under Section 112, second paragraph.

Turning next to the substantive rejection of the claims, claim 1 has been amended further to add the features of claim 13, which has been canceled, to more clearly define the present invention over the cited art. Amended claim 1 defines a connecting device that is suitable for mechanically connecting an engine/motor housing of a motor with a transmission housing of a transmission, which are operatively connected via a motor shaft.

The cited reference to Zagorski discloses an electric motor 10 with a housing. The housing 12 comprises two U-shaped shells 14 and 16, which accommodate the permanent magnets 38, 40 for driving the rotor 84. The lower housing shell 16 therefore has an axial extension with "upstanding legs" 64, 66 formed thereon, in which the "end wall" 74 is joined.

Contrary to the Examiner's assertion in the Office Action, Zagorski fails to disclose a "transmission housing". Reference number 3 merely designates the sectional view for Fig. 3 (column 3, line 66). The half shell 16 therefore does not represent a connecting element between two housings, rather only a housing part of a motor housing. The housing part 16 also it not partially elastically deformable with regard to a rotational movement about the motor axis 78. This is clear from Figs. 5 and 6, for example.

Also in the area of the recess 68, the housing shell 16 is quite large in the circumferential direction, that is, relative to the rotational movement about the motor shaft 16 over a large angle range. Thus, for example, the wall thickness in the radial direction of the housing shell 16 is substantially thinner with reference to the rotational direction or with reference to the axial direction along the

armature shaft 78. Thus, the housing part 16 can in no way be partially elastically deformable with regard to the rotational direction about the armature shaft 78. The practitioner therefore would receive no teaching or suggestion from Zagorski regarding the features of the present invention as defined in amended claim 1.

The cited reference to Henderson discloses a "vibration attenuation assembly", in which an acceleration sensor is mounted in a first "inner housing", which in turn is mounted in a damped manner in a second, "outer housing" This type of arrangement of an inner and outer cylindrical housing, which is mounted merely via springs, however, is absolutely unsuitable for connecting a motor housing with a transmission housing. Indeed, the springs can be partially elastically deformed in all directions. However, with this device it is not possible to transmit the drive moment of an armature shaft to a transmission. Henderson therefore does not render obvious the present invention.

As noted above, claim 1 has been amended to add the features of claim 13, which was canceled, to define that at least a partial elastic deformation of t connecting device with regard to the rotation direction (in the y-direction) and that the connecting element is embodied as thin in a predetermined circumference direction y.

Neither of the cited references discloses all of the features of amended claim 1. Therefore, the rejections under Section 102 must be withdrawn. MPEP section 2131 states that "a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or

inherently described, in a single prior art reference", and that "the identical invention must be shown in as complete detail as is contained in the ... claim". A prior art reference anticipates a claim only if the reference discloses every limitation of the claim. Absence from the reference of any claimed element negates anticipation. ***Row v. Dror***, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997).

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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